This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1-24. (canceled)

25. (Currently Amended) ~~A multicast-enabled network element~~An apparatus comprising:

> a first logical interface for receiving data from a first host;
>
> a second logical interface for transmitting said data to one or more further hosts;
>
> a processor for defining a group comprising one or more further hosts, wherein a further host is added to the group in response to the reception of a request; and
>
> a cache, wherein said ~~network element~~apparatus is configured to store received data in the cache until a predetermined condition is met and, in response to the meeting of this condition, to forward the data to said further hosts in said group, and wherein the processor is configured to limit the group to further hosts situated at the same location.

26. (Currently Amended) ~~A network element~~An apparatus according to claim 25, wherein one or both of a request and a file is transmitted between the apparatus~~network element~~ and the first host via a cellular communications network and the location of the further host is defined in terms of a cell, so that the group is limited to further hosts situated in an area covered by a single cell.

27. (Currently Amended) ~~A network element~~An apparatus according to claim 25, further configured to forward a file over a wireless communication network, being the last network element located before an air-interface in a file delivery path between the first host and one or more further hosts.

28. (Currently Amended) ~~A network element~~An apparatus according to claim 25, wherein said apparatus~~network element~~ comprises a router.

29. (Currently Amended) ~~A~~ An apparatus ~~network element~~ according to claim 25, further comprising a timer, wherein the predetermined condition is one of:

the receipt of a predetermined number of requests for a file from said further hosts; and

the expiry of a time limit.

30. (Currently Amended) ~~A network element~~An apparatus according to claim 29, wherein the time limit changes dynamically.

31. (Currently Amended) An apparatus~~A network element~~ according to claim 25, further configured to receive requests from the further hosts via a first communication path and to forward data to the further hosts via a second communication path, separate from the first communication path.

32. (Currently Amended) An apparatus~~A network element~~ according to claim 31, wherein the first communication path and the second communication path comprise separate networks.

33. (Currently Amended) A method ~~of file delivery over a network~~ comprising the ~~steps of~~following:

receiving a request for a file from a first host at a network element;

retrieving the file from a second host;

storing the file in a cache associated with the network element;

defining a group including the first host;

waiting for a period of time until a predetermined condition is met where, if further requests for said file are received by the network element from one or more other hosts before the period of time expires, then said one or more other hosts are added to the group; and

forwarding the file to the first host and to any other hosts in said group, wherein the group is limited to the first host and other hosts situated at the same location as the first host.

34. (Previously Presented) A method according to claim 33, wherein one or both of a request and the file is transmitted between the network element and the first host via a cellular communications network and another host is considered to be at the same location as the first

host if it is situated in an area covered by the same cell.

35.   (Previously Presented)   A method according to claim 33, wherein the file is forwarded over a wireless communication network, the network element being the last network element before an air-interface in a file delivery path between the second host and the first host.

36.   (Previously Presented)   A method according to claim 33, wherein the network element comprises a router.

37.   (Previously Presented)   A method according to claim 33, wherein the predetermined condition is one of:

the receipt of a predetermined number of further requests; and

the expiry of a time limit.

38.   (Previously Presented)   A method according to claim 37, wherein the time limit changes dynamically.

39.   (Previously Presented)   A method according to claim 33, wherein the request is received via a first communications network and the file is forwarded via a second communications network.

40.   (Currently Amended) A ~~computer program comprising program~~computer-readable medium storing computer-executable instructions for causing a network element to perform the method of claim 33.

41.   (Canceled)